## STRATEGIC ISSUES

## The issue of South Talpatty

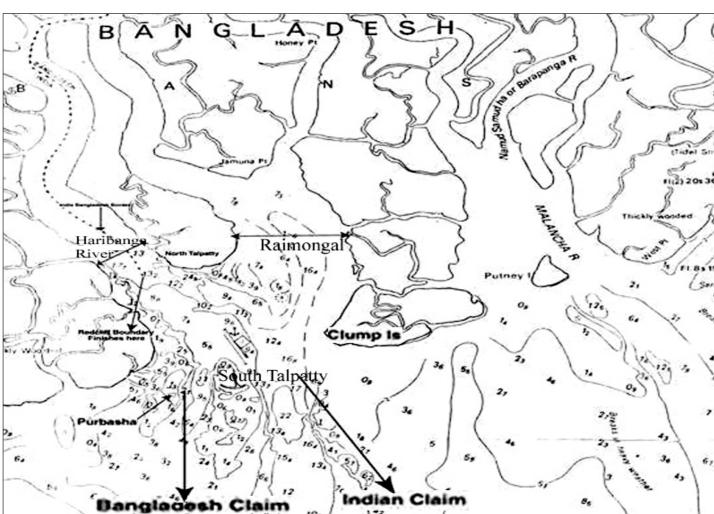
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HE island of South Talaptty as we call it or New Moore Island (as India calls it), was first shown in the navigation chart on information provided by India sometime in 1971. It's a U shaped island with an area of about 2 sq.km. The Radcliffe Award demarcated the deep-water channel of Hariabhanga, the border river, as the border of two countries. The dotted border was not drawn up to the point of the river reaching its estuary. The island came up at the estuary of the Hariabhanga and our internal river Raimangal. India claimed this island in her territorial sea in 1971 and also notified to the U.S. Naval Oceanographic Office and the British Admiralty, on the basis of principles of discovery However, it was easy to discover at that time, as Bangladesh remained very much pre-occupied with the liberation struggle against the Pakistani occupation forces in 1971.

In the interest of good neighbourly relations, Bangladesh proposed a joint survey to dispel any misgivings about the rightful ownership of this island. The Indian Prime Minister agreed to such a joint survey as proposed by Bangladesh during his visit to Dhaka in April 1979. In August 1980, during the discussion between the Indian External Affairs Minister and the Bangladesh Foreign Minister. it was agreed that after study of additional information exchanged between the two governments, further discussion would take place with a view to settling it peacefully at an early date. While Bangladesh supplied the Indian side with data including satellite imageries clearly establishing Bangladesh's claim to this island, the promised additional information from the Indian side was still awaited. In those prevailing circumstances, the government of Bangladesh was taken completely by surprise when an Indian naval ship "Sandhayak," with helicopter and some personnel in khaki uniform on board was observed in between the Clump Island in Bangladesh territory and South Talpatty Island on 9th May 1981.

The ship went to South Talpatty Island and landed some of those uniformed personnel, some huts and tents, one aerial mast and one pole bearing Indian flag were also seen erected on the island. Such an unwarranted and unilateral action on the part of the government of India was a clear violation of the agreement reached between the two governments to seek a peaceful resolution on the problem and also a violation of Bangladesh territory since the Indian ship was positioned in the estuary of the Raimangal River, an internal river of Bangladesh. Accordingly, a strong protest was lodged with the government of India on

Apparently with a view to justifying its illegal action, government of India accused Bangladesh navy of provocative activities and another Petya class Indian frigate, "INS



Sandhavak". This was tantamount to further escalation of the provocative situation though Indian Ministry of External Affairs reiterated the intention of the government of India to exchange further data and to hold further discussion based on the understanding reached between the two foreign ministers for the peaceful resolution on this problem. There was clearly a contradiction between such declared intention and actual action that amounted to a military occupation of the South Talpatty Island. The fact that it was India and not Bangladesh, which landed, armed personnel on the disputed island should leave no room for doubt as to who was responsible for the provocation. Bangladesh government had again requested ndia to withdraw its navy ships from Bangladesh waters, remove men and materials including the flag from the disputed island and to desist from such unilateral and provocative action in the future, and to conduct a joint survey immediately with a view to resolving this problem peacefully in a spirit of understanding, cooperation and good neighbourliness in accordance with its commitments. Accordingly, the Ministry of Foreign Affairs also issued a White Paper for the information of the public on 26th May 1981.

The dispute over this island has more to do with the extent of the maritime zone to be potentially acquired in the oil rich delta of the Bay of Bengal than the island itself. Given sovereignty over the Island

areas in the Continental Shelf. For Bangladesh the sovereignty over the island, will enable it to draw the maritime boundary line west of the South Talpatty in the north south natural prolongation of our land mass, its adjacent historic fishing areas, its territorial sea and ensure safe entry to the major port of Mongla with effective control over the waters of the SWATCH OF NO GROUND (the deepest seabed near the coast of Bandladesh). India has till now prevented all attempts by Bangladesh to survey the island, specially to find out the location of another Low Tide Elevation, a few cables south west of South Talpatty. This writer first discovered the existence of another Low Tide Elevation. Most probably the Kolkata newspapers termed this much smaller island as Purbasa, although the government of India subsequently denied the existence of Purbasa altogether. First of all. India's claim of South Talpatty as an island must be disputed, as the island could not be termed more than a Low Tide Elevation as it does not remain above water during high tide. It is not yet understood how a country like India with all her survey capability did notify this as an island to the whole world and how Bangladesh also accepted this in spite of the Convention of Territorial and Contiguous Zone, 1958 in force which clearly defined an island and Low Tide Elevation

Tide Elevation (Purbasa), which the writer feels may be discussed for sovereignty rights between the two neighbours but there is no question of disputing the sovereignty rights of Bangladesh over the South Talpatty as this has formed in the estuary of Raimangal river, being the internal river of Bangladesh. India's contention of deeper channel passing east of South Talpatty does not hold water at all as the streams of Raimangal river when they meet with the remaining flow of Hariabhanga will no doubt create deeper channel than the channel flowing west of South Talpatty. Moreover, it has been alleged that India purposely placed boulders in the western channel to divert the Hariabhanga flow towards the eastern channel and also make it deeper. India's claim about the island lying on the natural prolongation of the Indian territory, could hardly be distinguishable by any survey or practical considerations. The Bangladesh lightchouse of South Talpatty was also reportedly removed by the Indian authorities and subsequently used as boulders in he western channel

Problems of conflicting claims often do not result from lack of understanding of international law but from the politics surrounding the claims. International law deals with delimiting respective territorial boundaries, regulating the transfer claiming more EEZ and additional existence of another smaller Low as well as determining the actual

status of a particular territory. The primary question will remain whether India has the right mindset to solve this problem. India claims to be on high moral ground as it has solved all its maritime boundary problems with all its neighbours except Bangladesh and Pakistan. Now India is talking to Pakistan for solving the problem of Maritime boundary. But it appears that the issue of South Talpatty has probably been forgotten, as we have no knowledge of discussion on the matter in public fora in the last 25 vears. We all, especially our fishermen, who suffer most due to the highhandedness of the Indian coastguards, have a right to know about the progress made. A generation of expertise of the globetrotting policy planners could not create any hope, as supposedly they have remained foreign to the untold sufferings of our seafarers in and around South Talpatty

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## Will the United States strike Iran?

ESPITE vigorous dismissal of possible air strikes against Iran as "wild speculation," the Bush administration is reportedly exploring military options to deal with it which, as a part of "an axis of evil" cannot be allowed to possess nuclear capacity in any form. With neighbouring Iraq and Afghanistan under US occupation, "recalcitrant" Iran now remains to be tackled, a task to which its announcement of uranium enrichment has apparently lent an urgency.

Iran's quest for either dominance of the Gulf region or acquiring nuclear capacity is nothing new, since these were sought even during the late Shah's reign. The fact that these goals are pursued by an Islamic revolutionary government in Iran is what is regarded to be so galling under the circumstances, particularly since its president has also openly talked about "wiping Israel off the map." Iran then, appears to be a "problem" that has to be "solved." The vital question is: how? According to a recent report by Seymour Hersh in the New Yorker, there are contingency plans to bomb Iranian nuclear sites, which would involve hitting more than 400 of them. "Rumours" have surfaced about plans to use tactical nuclear bunker-buster weapons to demolish Iran's nuclear facilities, which are known to be located in deep underground sites.

The neo-cons in the Bush administration are privately in favour of a military solution, which is not surprising given the absolute military superiority that the United States enjoys at present. would this option yield the desired outcome, namely, wiping out Iran's nuclear sites, eliminating its capacity for leadership in the Gulf region, bringing about a regime change in Tehran a la Baghdad and moulding the entire Middle East according to the political and strategic vision of the United States? That remains to be seen. This is the also the scenario that is desired by the Pentagon, as well as the anti-regime Iranian nationals in the United States and elsewhere,

(who are said to be funded by the undertaking military operations same sources as was the anti-Saddam Iraqi National Congress).

The question at this point is not whether the United States can undertake a military campaign against Iran (which it definitely can). but whether it will do so to achieve its objectives. The fact is, there are limitations as to what can be achieved through military means, refusal to address which could do the United States more harm than good in the long run. (Even American analysts themselves apprehend that, "Any potential estruction of American power is likely to be self-inflicted").

There is however, a precedent for the use of force for destroying a regional nuclear site: the Israel bombing of Iraqi nuclear reactors at Osiraq in June 1981, presumably with US approval. But then Iran is not Iraq. There are factors which render Iran a much different case - it territorially not only four times larger, and thrice as populous as Iraq, but its terrain is also much more rugged and inaccessible. Besides, any attack on Iranian territory would inflame nationalist sentiments there, which would immensely assist in consolidating the present Iranian government rather than weakening it, much less overthrowing it.

The refusal of the Iranian

President Mahmoud Ahmedinejad to comply with the UN deadline for suspending uranium enrichment has escalated the chances of collision between the United States and Iran. Discussions are currently underway in the UN Security Council to approve a resolution on Iran that may invoke Chapter 7 of the UN Charter, thus paving the way for military action. Russia and China, which have their own interests in Iran, have already registered their objection to it, hence making it difficult for the United States to extract legitimacy from the UN. The US Secretary of State Condoleezza Rice, though, has made it clear that, in case no consensus is forthcoming from the Security Council, it would not shy

away from bypassing it and

against Iran either unilaterally, or with the cooperation of what is called "the coalition of the willing," (which may include European countries like Britain, France and Germany). While such an undertaking may be technically feasible, its apparent short-term 'success" would be out-weighed by immediate and long-term political and economic damage it would cause, among which, adverse reaction among the regional and other Muslim countries, and the consequent anti-American backlash it would generate.

There would also be an economic dimension to any possible military action. Iran contains roughly 10% and 15% of global proven oil and gas reserves respectively, and is the third largest oil exporting country in the world, producing 4.5 million barrels of oil per day (bpd), and having a spare capacity to produce another 2 million bpd. The US initiation of a military conflict would inevitably lead to an acute disruption of oil supply from the entire Gulf region, triggering a price hike that would be calamitous for not only the US economy but for the rest of the world as well. As it stands now, the price of oil is already hovering between US\$70-75, and is expected to rise even further. It may be mentioned that the United States now imports 60% of its oil, (a considerable portion of it from the Gulf states), is currently running a trade deficit to the tune of US\$4.5 trillion, and has to make efforts to maintain the value of the US dollar on which so much its power depends. To make matters even worse, Iran is likely to impede the passage of oil tankers through the Straits of Hormuz, which it can

easily dominate The goal of the United States is to replace the present Iranian regime with one friendly toward it (just like it did in 1953), thereby facilitating an increase in oil production, and allowing US oil companies to operate in Iran, something which they have been denied for more than a quarter of a

century to the detriment of US

interests. Besides, its geo-strategic location makes it a virtual gatekeeper of the oil-rich Caspian Basin region, and it is through Iran that the shortest and the most convenient route for transporting Caucasus and Caspian Basin oi could be charted. In brief, the real issue is the control of the Middle East and its oil, the nuclear issue being only a "vast red herring." Iran may be petroleum-rich, but

the fact is, this is a finite resource

which is expected to be depleted in

30-40 years, which renders its quest for an alternative source of energy natural as well as rational. As is pointed out by its government, it is for generating energy for civilian use, which is amply attested by the fact that its uranium enrichment level is only 3.5% ,whereas weapons grade enrichment would have to be about 80-90%, that would take at least a Iran's nuclear decade. programme is therefore legitimate, being consistent with what is permitted by the Nuclear Non-Proliferation Treaty (NPT), and open to inspection by the UN nuclear watchdog, International Atomic Energy Agency (IAEA). US policy makers allege that Iran also has a parallel, clandestine programme to produce nuclear weapons, and ultimately to assist terrorists with WMD. The IAEA has however certified that Iran does not currently have any nuclear weapons

Such unfounded claims notwithstanding, Iran's nuclear programme does not warrant being labelled as a threat to international peace and security. It is however, only by making such a case that preemptive US military actions against Iran can be justified. Such an unfortunate eventuality would put an end to a treaty-based nonproliferation regime and usher in an era of militarily enforced counterproliferation strategy. Once again, the UN Security Council would be exposed for it is an ineffective and irrelevant forum for discussion, incapable of checking the unilateral

proclivities of its most powerful

If the United States could have a dialogue with North Korea (which has admitted possessing an active WMD programme), to defuse the nuclear crisis in Northeast Asia, there is no reason why a similar approach could not be adopted for dealing with Iran, which has consistently stated that its nuclear programme is peaceful, and has expressed its willingness for negotiation, as is indicated by the letter just sent to the US president by his Iranian counterpart (for the first time in 27 years), offering "new solutions for getting out of international problems and the current fragile situation of the world". If the UN Security Council imposes sanctions and the US continues to threaten to use force against Iran, it would be compelled to withdraw itself from the NPT and accelerate its uranium enrichment to the bomb-grade level as a measure of self-defence -- and thereby closing all avenues for dialogue. Prudence dictates that keeping Iran engaged, rather than using the inflammatory rhetoric of force would best promote US strategic, political and economic interests in the Middle East. The ʻcrisis" over Iran's nuclear programme thus needs to be resolved judiciously, constructively and multilaterally, in a manner that reduces the scope for tension and instability in the region, and balances the competing interests of all the parties concerned. Unless, of course, Washington has a different agenda and prefers to bring about changes in Iran militarily, which may prove to be counter-productive.

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## Is Sri Lanka sliding into another civil war?

**BILLY I AHMED** 

HE carefully planned suicide bombing at army headquarters in central Colombo on 25 April, bears a new format that points to Sri Lanka heading for a civil war.

The attack involved a female suicide bomber, dressed as a pregnant woman, who pretended to be visiting the army hospital near the heavily guarded, high-security zone. She waited for the arrival of the army chief, Lieutenant General Sarath Fonseka, and detonated her explosives, killing eight people on the spot and wounding 27 others, mainly military personnel.

LTTE has officially refuted responsibility, but there can be little doubt the LTTE organised and led the attack. Suicide bombings have been the LTTE's symbol. In all likelihood, Lt. Gen. Fonseka was targeted because of his public agitation for tougher measures against the LTTE. He was critically injured but survived the blast.

President Mahinda Rajapakse and the military immediately seized the opportunity on the bombing as the excuse to launch air and artillery attacks on LTTE bases in the Sampoor area near the eastern city of Trincomalee

Another clash took place at nearby Muttur. There is no doubt the attacks had been planned well in advance. The LTTE presence close to key strategic army and navy bases in Trincomalee had long been the subject of criticism in the Colombo press from military sources

According to LTTE spokespersons, the air raid in the Sampoor area levelled houses and killed at least 12 people, including civilians. Estimates of the number of refugees fleeing from Muttur and Sampoor vary between 15,000 and

Both the government and the LTTE claim to be for "peace" and neither side has officially abrogated the ceasefire. But all the signs are pointing toward a rapid slide back to all-out civil war that will have devastating effects for working people on the islandTamil, Sinhala and Muslim alike. More than 65.000 people were killed in two decades of brutal conflict before 2002. Many more were maimed or turned into refugees.

Both sides are threatening war. S. Pulidevan LTTE representative told the media: "They are firing with artillery and cannons. It is like a war in Trincomalee. If the attacks continue, the LTTE will be forced to take military defensive action." LTTE leader in Trincomalee S.S. Elilan warned: "We are in a state of readiness and are waiting for the instruction from our leadership to respond with force that will be catastrophically disabling and devastating to the enemy. Keheliya Rambukwella,

Government defence spokesperson, was no less choleric declaring: "There's no duration or limits on defence matters. If the LTTF continues its attacks, there will be coordinated retaliation or defence. This will

continue as long as the LTTE targets the security forces." In his comments, Media Minister Anura Privadarsahna Yapa denied that the ceasefire was in a shambles after the first open breaches by the Sri Lankan military, saying only "it's a bit of a low".

Sri Lankan Monitoring Mission (SLMM) head Major General Ulf Henricsson warned that if the air strikes continued, peace talks would be difficult. The worst-case scenario was a return to war, he said. "I think the parties are not prepared for that. And if they were, it would be devastating for the people of Sri Lanka and for their own military capabilities," he added.

However, the so-called peace process sponsored by the major foreign powers has slowly stopped. Negotiations were held in Geneva in February for the first time in nearly three years, but nearly broke down when President Rajapakse government called for major revisions to the current ceasefire. In the end, both sides pledged to adhere to and implement the agreement, but the subterranean conflict in the East and North have continued.

A second round of talks, due to take place on April 19-21, was rescheduled for April 24-25 then postponed altogether.

Since the Geneva talks in February, President Rajapakse has come under growing pressure from his allies to take a more aggressive stance toward the LTTE. His minority government is dependent on the JVP and JHU for parliamentary support. In the lead up to the second round of talks, the JVP leadership was again insisting that Rajapakse push for changes to the ceasefire agreement.

The JVP branded the suicide bombing as a declaration of war and urged the government to abrogate the ceasefire altogether. JVP general secretary Tilvan Silva yesterday declared: "The CFA (ceasefire agreement) is dead. Its conditions and rulings no longer apply and the government need not bother any more about it." JVP parliamentary group leader Wimal Weerawansa called for all parties to unite around Raiapakse "for the defence of motherland against terrorism"

The opposition United National Party (UNP), which on behalf of big business has pushed for a negotiated end to the war is also coming under pressure to take a tougher stance. After meeting with Rajapakse, UNP deputy general secretary Tissa Attanayake condemned the suicide bombing and warned: "If the peace process is to be fruitful, the LTTE should take immediate action to control their violent actions." Previously the UNP has blamed the JVP and JHU for inciting communal tensions

An editorial in the right-wing Island wrote: "Yesterday's attack has blasted hopes of Geneva talks. which the LTTE is all out to scuttle. One may wonder whether the truce is holding any longer with the LTTE committing such acts of terror as are suggestive of war already begun. It is incumbent upon the government to ready itself for any eventuality, while trekking the path of peace cautiously avoiding mines.

The Daily Mirror published an editorial after the bombing calling for unity against "fierce terrorists who have no respect for life or liberty". The newspaper called for President Rajapakse to resist calls for retaliation against the LTTE, declaring: "The government, however, is obliged to act responsibly, without letting the country slide into the precipice of a disastrous war, as long as the doors to talks remain open.

The US, the EU, Japan and India have all condemned the suicide bombing and called on both sides to adhere to the ceasefire and return to negotiations. In New Delhi, the Indian government called its Crisis Management Group on Wednesday to assess the situation and sent more warships to the Palk Straits between India and Sri Lanka.

In Washington, however, there was a shift in emphasis. US Assistant Secretary of State for South Asia Richard Boucher stated: "It is regrettable that the Tamil Tigers have decided to restart the war instead of restarting the peace process. We are in touch with governments around the world to bring to bear what ever pressure we can on the Tamil Tigers to abandon this course of action and to look for ways that we can support the government in coping with the threat.

The heightening conflict in the North and East coincides with strikes and protests by workers, farmers and the poor against the impact of the government's IMFdictated austerity program and market reforms.

As for the LTTE, it faces growing nostility from the Tamil minority over its antidemocratic methods and arbitrary imposition of taxes. Four years after signing of the ceasefire, hundreds of thousands of people are still living in refugee camps. Most Tamils have seen no significant improvement in their living standards. With no perspective for a progressive resolution to the conflict, the LTTE leadership, like its Sinhala counterparts in Colombo, may well consider war as the only means of resolving its political crisis

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